

# ALLEN & OVERY

## Our Practice Group Public procurement law

*Allen & Overy in Germany*

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2019



# Public procurement law

Many contracting authorities and bidders rely on our Public procurement law practice group for advice on all aspects of public procurement and contractual law relating to the awarding of public contracts and concessions. We can structure public procurement proceedings for contracting authorities, advise bidders in the context of public procurement proceedings and represent the interests of our clients before bodies tasked with reviewing the legitimacy of public procurement proceedings.

In this context, we are able to closely combine our wealth of experience on awarding public contracts and concessions with the scope of our advisory services on public law. We can, for instance, advise both municipal authorities and investors in respect of innovative urban development projects, irrespective of whether the project in question concerns the development of inner-city shopping areas or

environmentally friendly residential quarters. Our clients receive end-to-end legal advice from a single source, covering all aspects of public procurement, contract, local authority and building law, for instance. A similar interface can be identified in the transport sector: Public procurement proceedings relating to rail and bus transport or the procurement of rolling stock and buses are often closely linked to regulatory issues stemming from railway and public transport law. Airports, ports and privately financed road construction projects often present a similar situation, where sector-specific regulatory frameworks must be complied with that are not only defined by national law but also include elements of EU legislation (e.g. the ban on state aid).

*“Allen & Overy has found its place within the public procurement scene.”*

JUVE 2017/2018: Public sector – Public Procurement

*“Compact public law team with a strong foothold in the public procurement market.”*

Chambers Europe 2017: Public Law

*“The frequently recommended procurement team around the renowned Olaf Otting has an impressive client base.”*

JUVE 2017/2018: Public sector – Public Procurement

We frequently provide advisory services to clients in respect of sectors of the economy which are only beginning to open up to competition. A recent example is the awarding of contracts in the field of defence and security, which is characterised not only by very specific market structures but also by specific legal framework conditions.

We believe that advising on public procurement law should not be limited to looking only at the provisions of procedural law that govern the placing of an order or granting a concession; ultimately it involves the awarding of a contract, which can require very different content depending on the sector in question. Where necessary, we can draw on the expertise of highly specialised colleagues from the fields of public law, corporate law, financing, real estate law, IP/IT and data protection, for instance. Interfaces with antitrust law, which we address on a regular

basis, are found, for instance, in connection with issues such as self-cleaning after breaches of antitrust law.

Through our involvement in legal associations and various bodies, regular lectures and publications, we are repeatedly presented with the opportunity to understand the latest developments in a broader scope beyond one-to-one application and the pure legal implications and to make our contribution to the general discussion.

## *Listed in “Best Lawyers in Germany 2017”, Public Commercial Law, Hesse*

Best Lawyers®/Handelsblatt (Dr Olaf Otting)

## *Named as “individual of the next generation”*

Legal 500 Deutschland 2018: Public Law (Dr Udo Herbert Olgemöller)

# Our Team

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*“a great team”, competitor*

JUVE 2016/2017: Public Sector



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*“The focus lies on construction, infrastructure and transport as well as energy.”*

Legal 500 2018: Public Law

*“Frequently recommended procurement team around Otting.”*

JUVE 2017/2018: Public Sector

*“Olaf Otting is a ‘great specialist and really good lawyer’, and enjoys a healthy reputation in the public procurement, PPPs and privatisation fields.”*

Chambers Europe 2017: Public Law

*“The ‘outstanding’ team of Allen & Overy LLP ‘understands what matters’, has ‘excellent procurement law skills’ and ‘reacts quickly to enquiries’ [...].”*

Legal 500 Deutschland 2016: Public Sector



# Allen & Overy Germany

## GENERAL INFORMATION

4

Offices

49

Partners

28

Counsel

420

People

220

Lawyers

2

Of Counsel

## SECTORS



Automotive



Energy

Financial  
Institutions

Real Estate

Infrastructure  
and Transport

Life Sciences



Private Equity

Telecoms, Media  
and Technology

## PRACTICES

Employment  
and BenefitsIntellectual  
PropertyPublic Law  
and Public  
Procurement  
LawCapital  
MarketsBanking and  
FinanceRestructuring  
and InsolvencyCorporate  
Governance and  
Compliance

Antitrust

Tax

Dispute  
ResolutionCorporate/  
M&A

Insurance

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FOR MORE INFORMATION, PLEASE CONTACT:

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### GLOBAL PRESENCE

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Allen & Overy is an international legal practice with approximately 5,500 people, including some 550 partners, working in 44 offices worldwide. Allen & Overy LLP or an affiliated undertaking has an office in each of:

Abu Dhabi	Bucharest (associated office)	Ho Chi Minh City	Moscow	Seoul
Amsterdam	Budapest	Hong Kong	Munich	Shanghai
Antwerp	Casablanca	Istanbul	New York	Singapore
Bangkok	Doha	Jakarta (associated office)	Paris	Sydney
Barcelona	Dubai	Johannesburg	Perth	Tokyo
Beijing	Düsseldorf	London	Prague	Warsaw
Belfast	Frankfurt	Luxembourg	Riyadh (cooperation office)	Washington, D.C.
Bratislava	Hamburg	Madrid	Rome	Yangon
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